

Page 1 of 18
Permit No. WA-003060-1
Issuance Date: June 2, 2004
Effective Date: June 2, 2004
Expiration Date: June 2, 2009

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT No. WA-003060-1**

State of Washington
DEPARTMENT OF ECOLOGY
Northwest Regional Office
3190 – 160th Avenue SE
Bellevue, WA 98008-5452

in compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.
authorizes

PUGET SOUND ENERGY
P. O. Box 97034, PSE-09S
Bellevue, WA 98009-9734

<u>Facility Location:</u> Whitehorn Generating Station 4930 Brown Road Blaine, Washington Nooksack WQMA	<u>Receiving Water:</u> Outfall 001: Strait of Georgia, Class AA Outfall 002: Birch Bay via Terrell Creek, Class A
<u>Water Body I.D. No.:</u> WA-01-0010 (Strait of Georgia) WA-01-0010 (Birch Bay)	<u>Discharge Location:</u> Outfall 001: Latitude: 48° 52' 40" N Longitude: 122° 46' 12" W
<u>Industry Type:</u> Power Generation	Outfall 002: Latitude: 48° 53' 10" N Longitude: 122° 45' 19" W

to discharge wastewater in accordance with the Special and General Conditions that follow.

Kevin C. Fitzpatrick
Water Quality Section Manager
Northwest Regional Office
Washington State Department of Ecology

TABLE OF CONTENTS

SUMMARY OF PERMIT REPORT SUBMITTALS.....4

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS.....5

 A. Process Wastewater Discharges

 B. Storm Water Run-Off

S2. MONITORING REQUIREMENTS.....6

 A. Outfall 001

 B. Outfall 002

 C. Sampling and Analytical Procedures

 D. Flow Measurement

 E. Laboratory Accreditation

S3. REPORTING AND RECORDKEEPING REQUIREMENTS8

 A. Reporting

 B. Records Retention

 C. Recording of Results

 D. Additional Monitoring by the Permittee

 E. Noncompliance Notification

 F. Reporting - Shellfish Protection

S4. UNANTICIPATED DISCHARGES10

S5. TANK FARM MODIFICATIONS.....10

S6. OPERATIONS AND MAINTENANCE.....10

 A. Operations and Maintenance Manual for Treatment System

 B. Bypass Procedures

S7. SOLID WASTE DISPOSAL.....12

 A. Solid Waste Handling

 B. Leachate

 C. Solid Waste Control Plan

S8. SPILL PLAN13

S9. BEST MANAGEMENT PRACTICES13

S10. UPDATED STORMWATER POLLUTION PREVENTION PLAN (SWPPP).....14

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS.....15

G2. RIGHT OF ENTRY16

G3. PERMIT ACTIONS.....16

G4. REPORTING A CAUSE FOR MODIFICATION16

G5. PLAN REVIEW REQUIRED17

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES.....17

G7. DUTY TO REAPPLY17

G8. PERMIT TRANSFER17

G9. REDUCED PRODUCTION FOR COMPLIANCE17

G10. REMOVED SUBSTANCES17

G11. TOXIC POLLUTANTS.....18

G12. OTHER REQUIREMENTS OF 40 CFR.....18

G13. ADDITIONAL MONITORING18

G14. PAYMENT OF FEES.....18

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS18

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.	Discharge Monitoring Report	Quarterly	July 15, 2004
S6.A.	Operations and Maintenance Manual	1/permit cycle	Six (6) months after effective date
S7.	Solid Waste Control Plan	1/permit cycle	December 2, 2008
S8.	Spill Plan	1/permit cycle, updates submitted as necessary	December 2, 2008
S10.	Stormwater Pollution Prevention Plan	1/permit cycle	December 2, 2008
G1.	Notice of Change in Authorization	As necessary	
G7.	Application for Permit Renewal	1/permit cycle	December 2, 2008

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

A. Process Wastewater Discharges

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, or flows greater than those authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge treated filter backwash water and neutralization effluent via a 2-mile pipeline and ½-mile road-side drainage swale to the Strait of Georgia, Outfall 001, subject to meeting the following limitations:

EFFLUENT LIMITATIONS: OUTFALL # 001	
Parameter	Maximum Daily^b
Flow	47,000 gpd
Total Settleable Solids	0.1 ml/L
Total Dissolved Solids (TDS)	10,000 mg/L
pH	Not outside the range of 7.0 to 8.5 standard units
Oil & Grease	15 mg/L and no visible oily sheen
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the maximum daily effluent limitation applies to that sample.	
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day.	

B. Storm Water Run-Off

Water drawn from storage tanks is prohibited to be discharged to surface water.

Beginning on the effective date of this permit and lasting through the expiration date of this permit, the Permittee is authorized to discharge treated storm water run-off to Birch Bay via a ditch to Terrell Creek, Outfall 002, subject to meeting the following limitations:

EFFLUENT LIMITATIONS: OUTFALL # 002	
Parameter	Maximum Daily^a
Oil & grease	15 mg/L and no visible oily sheen
pH	Not outside the range of 6.5 to 8.5 standard units.
^a The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day.	

S2. MONITORING REQUIREMENTS

The Permittee shall monitor the effluent according to the following monitoring schedule. No monitoring is necessary for reporting periods in which there is no discharge.

- A. Outfall 001: The treated filter backwash water and neutralization tank effluent samples shall be taken from the wastewater pump skid sample point (V726) prior to discharge off-site.

Parameter	Units	Minimum Sampling Frequency	Sample Type
Flow	gpd	Batch ^c	Cumulative, metered or calculated
Total Settleable Solids	ml/L	Batch ^c	Composite ^a
TDS	mg/L	Batch ^c	Composite ^a
Oil & Grease	mg/L	Batch ^c	Grab
Sulfate (SO ₄)	mg/L	Batch ^c	Grab
pH ^b	Standard units	Batch ^c	Grab

- B. Outfall 002: The treated stormwater run-off samples shall be taken following treatment by the hay polishers at the weir gate.

Parameter	Units	Minimum Sampling Frequency	Sample Type
Flow	gpd	Weekly ^c	Metered or Calculated
Oil & Grease	mg/L	Monthly	Grab
pH	Standard units	Weekly	Grab

Footnotes:

- ^a The method of sampling for Total Settleable Solids and TDS shall be to collect a composite of a minimum of four aliquots taken at equal time intervals on each sampling day.
- ^b Daily monitoring can be conducted with pH indicator strips. The Permittee shall maintain a pH log at all times, and the maximum and minimum pH shall be reported monthly.
- ^c No sampling is required on days in which there is no discharge.

C. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

D. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three (3) years.

E. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted quarterly. Monitoring results obtained during the previous three (3) months shall be reported on the monthly forms as provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. One set of DMRs shall be prepared for each month. The report shall be sent to the Department of Ecology, Northwest Regional Office, 3190 – 160th Avenue SE, Bellevue, Washington 98008-5452.

All lab reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units, and concentration detected.

Discharge Monitoring Report forms must be submitted quarterly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, the form shall be submitted as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately and submit the results to the Department within thirty (30) days after becoming aware of the violation;
2. Immediately notify the Department of the failure to comply; and
3. Submit a detailed, written report to the Department within thirty (30) days (five [5] days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Reporting - Shellfish Protection

Unauthorized discharges, such as collection system overflows, plant bypasses, or failure of the disinfection system, shall be reported immediately to the Department of Ecology and the Department of Health, Shellfish Program. The Department of Ecology's Northwest Regional Office 24-hour number is 425-649-7000 and the Department of Health's Shellfish 24-hour number is 360-236-3330.

S4. UNANTICIPATED DISCHARGES

Beginning on the effective date of this permit, the Permittee may discharge nonroutine wastewater on a case-by-case basis. Prior to any such discharge, the Permittee shall contact the Department and at a minimum provide the following information:

1. The nature of the activity that is generating the discharge.
2. Any alternatives to the discharge, such as reuse, storage, or recycling of the water.
3. The total volume of water expected to be discharged.
4. The results of the chemical analysis of the water. The water shall be analyzed for all constituents specified by the Department. All discharges must comply with the effluent limitations established for Outfall 001, water quality standards, sediment management standards, and other limitations deemed necessary by the Department.
5. The rate at which the water will be discharged, in gallons per minute. The discharge rate shall be limited to that which will not cause erosion of ditches or structural damage to culverts and their entrances or exits. The Permittee is responsible to contact the City to obtain the maximum acceptable discharge rate.

The discharge cannot proceed until the Department has reviewed the information provided and has authorized the discharge. Authorization from the Department will be by letter to the Permittee or by an Administrative Order.

S5. TANK FARM MODIFICATIONS

The Permittee shall submit a project description report to the Department, prior to commencement of any independent remedial actions or modification activities for the purpose of upgrading the condition of the tank farm.

S6. OPERATIONS AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Operations and Maintenance Manual for Treatment System

The Permittee shall review and update the *Operations and Maintenance (O&M) Manual* annually. Substantial changes or updates to the *O&M Manual* shall be submitted to the Department whenever they are incorporated into the manual.

The approved *Operations and Maintenance Manual* shall be kept available at the permitted facility and all operators shall follow the instructions and procedures of this manual.

The *O&M Manual* shall include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure; and
2. Plant maintenance procedures.

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit, the Permittee shall notify the Department in accordance with Condition S3.E "Noncompliance Notification."

2. Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions -- Bypass is authorized by an Administrative Order issued by the Department. The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) if a water quality criteria exceedance is unavoidable, a request for modification of water quality standards as provided for in WAC 173-201A-110, and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an Administrative Order:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by Administrative Order issued by the Department under RCW 90.48.120.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

S7. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee shall submit all proposed revisions or modifications to the solid waste control plan to the Department. The Permittee shall comply with any plan modifications. The Permittee shall submit an update of the solid waste control plan with the application for permit renewal one hundred and eighty (180) days prior to the expiration date of the permit.

S8. SPILL PLAN

The Permittee shall submit to the Department an update to the existing spill control plan with the application for permit renewal one hundred and eighty (180) days prior to the expiration date of the permit.

The updated spill control plan shall include the following:

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and chemicals used, processed, or stored at the facility, which may be spilled into state waters.

For the purpose of meeting this requirement, plans and manuals required by 40 CFR Part 112, and contingency plans required by Chapter 173-303 WAC may be submitted.

S9. BEST MANAGEMENT PRACTICES

The Permittee shall comply with the following Best Management Practices (BMPs):

1. All oily catch basins shall be inspected on a weekly basis, at a minimum, and maintained as needed to ensure satisfactory performance. Oil sludges shall be disposed of in a manner that will not cause degradation to state waters. A record of inspection, maintenance, and disposal shall be kept on file and available for review by Department personnel.

2. All runoff from the enclosed tank farm and product transfer area shall be inspected, and any trace of oil & grease or oil sheen removed with absorbent pads before directing the runoff to the on-site ponds for treatment prior to discharge. Periodic drainage of water from the above ground storage tanks shall be collected in a waste oil container and disposed of properly.
3. All product storage barrels shall be securely stoppered and stored in a vertical position under cover, on a durable impervious surface and bermed.
4. No detergent washing of vehicles shall be allowed on-site.
5. Any contained or collected lube oil drippage during loading the turbine engines, shall be disposed of properly.
6. Containers mounted for direct removal of lubricants, solvents, and liquid chemicals must be placed inside a bermed and covered containment area. Drip pans shall be supplied and maintained for each dispenser.

S10. UPDATED STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

The Permittee shall submit to the Department an update to the existing Stormwater Pollution Prevention Plan with the permit reapplication required in General Condition G7.

The Permittee shall modify the existing SWPPP whenever there is a change in design, construction, operation or maintenance which causes the SWPPP to be less effective in controlling pollutants. Whenever the description of potential pollutant sources or the pollution prevention measures and controls identified in the SWPPP are inadequate, the SWPPP shall be modified, as appropriate, within two (2) weeks of such determination. The proposed modifications to the SWPPP shall be submitted to the Department at least thirty (30) days in advance of implementing the proposed changes in the plan unless the Department approves immediate implementation. The Permittee shall provide for implementation of any modifications to the SWPPP in a timely manner.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department, and
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2., above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2 must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a material change in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least sixty (60) days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least one hundred and eighty (180) days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least one hundred and eighty (180) days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner; and
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to Section A, above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G11. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G14. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.